G. R. S. 59] GPB—15,000—22-7-14

GENERAL AND REVENUE SECRETARIAT.

1895-96
(S. & A.)

File No. 10

Serial Nos. 1–4.

B.

~~Papers Filed.~~

Counterfoil

Month August '00.

SUBJECT.

Memorial of Mr. P. Singarachary, Munsiff of Shimoga, re: his pensionable Service.

PREVIOUS REFERENCES.	LATER REFERENCES.
	Issued S.C. Job.

(1)

Subd. & 2nd Comst.

Mr. Singaachar was appointed Public Prosecutor in 1881 and Remained in that office till 1886. He applied for leave on the ground that his pensionable service may be reckoned from 1878. The Comptroller was consulted and on his report Mr. Singaachar was informed that his prayer was inadmissible under the Rules. He now applies through the Chief Secretary

Writing of the Comptroller (D)
letter to [illegible] in his case.
In the case of ordinary
petitioners "copies of reports
and other correspondence
will not be granted"
(see Min: of 12th Oct 95)
In the present case
perhaps that prohibition
does not apply. May a
copy be furnished.

AR 6/11/00

8/11/00
590

I do not know
what to say?

HL

Subd to the 24th

There seems to be no objection to the giving a copy of the Comptroller's letter to Mr Sugarchand as it will enable him to learn why the Govt rejected his prayer. The Order No. 4082 Pet. 864 dated 12th Oct 1895 applies to Revenue Appeals and Petitions.

EL 20/11/00

pdo
Fl. Draft & Cee
Returned
Cee 30/11/00

HL

25/11/00
Mysore

Ay No 3956.

No 2270 Income
110

No. S. & A. From

60 of 95

No 1

To

Bangalore 12th November 1895.

The Registrar of the
Chief Court of Mysore

The General Secretary to the
Government of Mysore.

Sir,

I am directed to forward for the orders of Government, the accompanying Memorial from Mr. P. Singra Chari, Munsiff of Shimoga, received through the District Judge, Nagar Division.

I have the honor to be,

Sir,

Your most obedient Servant,

[illegible]
Registrar

JK

Enclosure to 8/(1)

To

The Honourable The Chief Judge

and

The Honourable other Judges

of the Chief Court,

MYSORE.

HONOURED SIRS,

The humble memorial of P. Singarachary, Munsiff of Shimoga, respectfully sheweth :—

1. That your memorialist was appointed Government Prosecutor of the District and Sessions Court of Nandidoorg Division in April 1881. He believes that he discharged the duties, appertaining to the office, to the satisfaction of the present Chief Judge and other Judges of the Chief Court, whom he had the honor to serve in that and other capacities.

2. That in June 1886 your memorialist had the honor of his name being submitted by C. G. Plumer, Esq., the then Chief Judge, to the Government for the Munsiffship of Nanjangode with the result that the appointment was sanctioned.

3. The said appointment the memorialist believes, from what he heard at the time of appointment from Mr. Plumer, was made on public grounds of Policy of Government to nominate a certain number of Munsiffs from among the members of the Bar in the interest of Public Service.

4. The memorialist begs to be permitted to state, and he feels it his humble duty to state for the purpose of this memorial, that he had a few words of encouragement amounting to a hope from the Dewan Sir K. Seshadry Iyer that his pensionable service might be accepted as commencing at least from the date of his appointment as Government Prosecutor.

5. It may be taken to be egotism on the part of the memorialist to take this opportunity to state the self-sacrifice that he made by accepting Public Service in accordance with the directions of the Chief Court. Nevertheless, it is a fact that he entered the service with certain amount of self-sacrifice. This fact is submitted respectfully as the main ground for the special indulgence prayed for by the memorialist.

6. The memorialist further begs to submit that under rule 275 of Mysore Service Regulation, the memorialist's service is capable of being reckoned from April 1878, 3 years prior to his having been taken as Government Prosecutor in addition to the special indulgence claimed by the memorialist.

7. Under rule 479 (*a*) of the Mysore Service Regulation the case of the memorialist is entitled to be recommended for the special indulgence of the Government, in consideration of the circumstances under which he was taken into Government Service and of the continued tenure of the service of the memorialist since 1881, under Government.

8. The memorialist humbly, therefore, prays that in consideration of the grounds briefly and respectfully set forth herein, which are not unknown to the Judges of the Chief Court and the Honorable Members of the Government, his pensionable period of service may be reckoned from April 1878 under section 479 (*a*) of the said Regulation. For which act of kindness and liberality the memorialist shall, as in duty bound, ever pray.

Your most obedient servant,

9th Oct: 1895

P. Lingaraja Rao.

Gen. 30.]

189

S. & A.

SECRETARY ~~Cooly~~

FILE NO. 60 of 95

SER 2

From Genl
The ~~Chief~~ Secretary to the
Govt. ~~Dewan~~ of Mysore.

To The Comptroller to the
Mysore Govt.

Dated 22-11-95

Despatched

Received

Enclosure No.

General No. 6166

No. 671

The undersigned has the honor to forward herewith in original ~~letter~~ memorial from Mr. P. Sujja Chari, Munsiff of Shimoga and to request that the Comptroller will be so good as to give ~~early favour~~ his opinion on the matter with reference to the provisions of the two articles of the Mysore Service Regulation quoted by the Munsiff.

B. C.
Genl. Secretary.

× (to be kindly returned)

S. & A

Secretariat Bundles

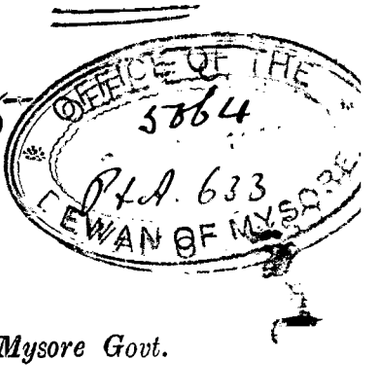
FILE No. 10 of 95

SEC No. 3

Log 6/1/96

5 247

1895



From

The Comptroller, Mysore Govt.

To

The Secretary to the Govt. of Mysore
General Dept.

Dated 21st December 95

Despatched 21

Received

C. F. No. 3416 with 1 enclosure
No.

SUBJECT MATTER.

~~State~~ Govt's opinion regarding the case of Mr D. Srinivachariar's dismissal of Shemoga

Mr. Srinivachar refers to a promise of the Dewan in para 4 of his application. It is absurd to expect the Dewan to remember a conversation 10 years old. Still it is possible that he might remember it and as the circumstances under which this gentleman was taken into the Service were peculiar inasmuch as he was part owner and was one of the leaders of the Bar & made a good income by private practice in addition to his salary of 150 Rs as Public Prosecutor, the application may be submitted to the Dewan and his claims treated with some consideration

6/1/96 DP.

Subd. to Comptr

The Comptr's view seems correct. The gentleman request as madam Mr. under the Rules. He gave up the Profession and the Service to better his own prospects while he was Public Prosecutor he continued practice. Any concession them to merit in your discretion.

To Dewan

A.D.

137/96 Govt. Opinion

of 6.1.96 on application from Mr Srinivachariar

V. 8. 1900

Offline Do 6/8

2/8/00

Submitted 2/8/00

P. & A. 21/12

Jno Branch

Please put up refees.

References put up 23/12

P. T. O. 26/12/95

OFFICE OF THE COMPTROLLER, MYSORE GOVT.

~~F~~ No. 3415

COMPTROLLER'S OFFICE
20 DEC. 95
MYSORE

Bangalore, 19 December 189 5,

From

E. R. SUBRAYER, Esq.,

Comptroller, Mysore Govt.

To

The Secretary to the Govt. of Mysore,

General Dept.

Sir,

In reply to your docket No. 6166/67 of the 22nd ultimo, asking for my opinion with reference to the provisions of the two articles of the Mysore Service Regulations quoted in the memorial therewith forwarded from Mr. P. Srigrachari Munsiff of Shemoga, I have the honor, in returning herewith the memorial, to state that article 275 refers only to condonations of breaks not exceeding 3 years. If Mr. Srigrachari was in Government service prior to 1878, resigned it in that year, and re-entered service in 1881, within 3 years; service before 1878 will be counted, notwithstanding the break of 3 years—1878—1881—Appointment as Public Prosecutor

Prosecutor is no entry into Government
Service, and there is no provision
to recognize Service as Public
Prosecutor for purposes of pension.
Under the rules in force, Mr.
Singru Chari Service can count
only from June 1886 the date
of his appointment as Munsiff,
but under Article 479 (a) the
Government may however show
any concession or indulgence
not provided for in the Code.

I have the honor to be
Sir
Your most obedient Servant
E. Thompson
Comptroller
of Mysore

S. & A.

File No. 60 of 95

Serial No. 4

Read:-

Letter No. 227/110 dated 12th November 1895 from the Registrar of the Chief Court of Mysore, submitting for orders a Memorial from M. P. Simpra Chary Munsiff of Shimoga, stating that the memorialist was appted ~~was appointed~~ Govt Prosecutor of the Dist & Sessions Court of the Nandidroog Dn in April 1881, and that in June 1886 he was appointed Munsiff of Nanjangode Mysore Dt, and praying that in consideration of certain grounds set forth therein, his pensionable period of service may be reckoned from April 1878 ie 3 years prior to the date of his appt as Govt Prosecutor.

under Article 275 of the Mysore Service Regns

2. Letter No. 3414 of 21st December 95 from the Comptroller to the Govt. of Mysore, furnishing his opinion on the subject.

Order thereon: - No 3142-43 P&A 390 Govt. Dt 30th August 00

~~It is observed that~~

Art- 275 of the M.S. Regns relied upon by ~~the~~ Mr. Sivaram refers only to condo- -nation of breaks not exceeding 3 yrs. In the case of the Memorialist there is no such break to be condoned. Apptt as Public Prosecutor is no entry into Govt service and there is no provision in the M[illegible] Regns to recognise service as Public Prose- -cutor for purposes of pension. Hence the Memorialist's request char has no ap- -plication to his case. ~~His prayer~~ Govt regret that his prayer is inadmissible under the Re

Sd 23/

Secy

16

~~is inadmissible and also on other grounds~~ the Memorialist ~~has~~ Since the Bar he entered the service of Govt. to better his own prospects. While he was Public Prosecutor he continued to practise. Any concession shown to him would form an inconvenient precedent. Under these circumstances the Memorialist Mr Simpson's service will count only from June 16, the date of his appointment as Munsiff.

Offg Secretary

Md 21/8/00

To
The Registrar of the Chief Court of Mysore
The Compliments of the Secretary